

## LIMESTONE HILLS TRAINING AREA WITHDRAWAL ACT

---

JUNE 24, 2013.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

Mr. HASTINGS of Washington, from the Committee on Natural Resources, submitted the following

### R E P O R T

[To accompany H.R. 1672]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 1672) to withdraw and reserve certain public lands administered by the Bureau of Land Management for exclusive military use as part of the Limestone Hills Training Area, Montana, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Limestone Hills Training Area Withdrawal Act”.

#### SEC. 2. WITHDRAWAL AND RESERVATION OF PUBLIC LANDS FOR LIMESTONE HILLS TRAINING AREA, MONTANA.

(a) WITHDRAWAL.—Subject to valid existing rights and except as provided in this Act, the public lands and interests in lands described in subsection (c), and all other areas within the boundaries of such lands as depicted on the map provided for by subsection (d) that may become subject to the operation of the public land laws, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws.

(b) RESERVATION; PURPOSE.—Subject to the limitations and restrictions contained in section 4, the public lands withdrawn by subsection (a) are reserved for use by the Secretary of the Army for the following purposes:

(1) The conduct of training for active and reserve components of the Armed Forces.

(2) The construction, operation, and maintenance of organizational support and maintenance facilities for component units conducting training.

(3) The conduct of training by the Montana Department of Military Affairs, except that any such use may not interfere with purposes specified in paragraphs (1) and (2).

(4) The conduct of training by State and local law enforcement agencies, civil defense organizations, and public education institutions, except that any such use may not interfere with military training activities.

(5) Other defense-related purposes consistent with the purposes specified in the preceding paragraphs.

(c) **LAND DESCRIPTION.**—The public lands and interests in lands withdrawn and reserved by this section comprise approximately 18,644 acres in Broadwater County, Montana, as generally depicted as “Proposed Land Withdrawal” on the map titled “Limestone Hills Training Area Land Withdrawal”, dated April 10, 2013.

(d) **LEGAL DESCRIPTION AND MAP.**—

(1) **IN GENERAL.**—As soon as practicable after the date of the enactment of this Act, the Secretary of the Interior shall publish in the Federal Register a legal description of the public land withdrawn under subsection (a) and a copy of a map depicting the legal description of the withdrawn land.

(2) **FORCE OF LAW.**—The legal description and map published under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary of the Interior may correct errors in the legal description.

(3) **REIMBURSEMENT OF COSTS.**—The Secretary of the Army shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior in implementing this subsection.

(e) **INDIAN TRIBES.**—Nothing in this Act shall be construed as altering any rights reserved for an Indian tribe for tribal use of lands within the military land withdrawal by treaty or Federal law. The Secretary of the Army shall consult with any Indian tribes in the vicinity of the military land withdrawal before taking action within the military land withdrawal affecting tribal rights or cultural resources protected by treaty or Federal law.

### **SEC. 3. MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.**

During the period of the withdrawal and reservation specified in section 6, the Secretary of the Army shall manage the public lands withdrawn by section 2 for the purposes specified in subsection (b) of such section, subject to the limitations and restrictions contained in section 4.

### **SEC. 4. SPECIAL RULES GOVERNING MINERALS MANAGEMENT.**

(a) **INDIAN CREEK MINE.**—

(1) **IN GENERAL.**—Of the lands withdrawn by section 2, locatable mineral activities in the approved Indian Creek Mine plan of operations, MTM–78300, shall be regulated pursuant to subparts 3715 and 3809 of title 43, Code of Federal Regulations. Of the lands withdrawn by section 2, the land area subject to the approved plan of operations shall permanently remain open to the amendment or relocation of mining claims (or both) under the Act of May 10, 1872 (commonly known as the General Mining Act of 1872; 30 U.S.C. 22 et seq.) to the extent necessary to preserve the mining operations described in the approved plan of operations.

(2) **RESTRICTIONS ON SECRETARY OF THE ARMY.**—The Secretary of the Army shall make no determination that the disposition of or exploration for minerals as provided for in the approved plan of operations is inconsistent with the defense-related uses of the lands covered by the military land withdrawal. The coordination of such disposition of and exploration for minerals with defense-related uses of such lands shall be determined pursuant to procedures in an agreement provided for under subsection (c).

(b) **REMOVAL OF UNEXPLODED ORDNANCE ON LANDS TO BE MINED.**—

(1) **REMOVAL ACTIVITIES.**—Subject to the availability of funds appropriated for such purpose, the Secretary of the Army shall remove unexploded ordnance on lands withdrawn by section 2 that are subject to mining under subsection (a), consistent with applicable Federal and State law. The Secretary of the Army may engage in such removal of unexploded ordnance in phases to accommodate the development of the Indian Creek Mine pursuant to subsection (a).

(2) **REPORT ON REMOVAL ACTIVITIES.**—The Secretary of the Army shall annually submit to the Secretary of the Interior a report regarding the unexploded ordnance removal activities for the previous fiscal year performed pursuant to this subsection. The report shall include—

(A) the amounts of funding expended for unexploded ordnance removal on the lands withdrawn by section 2; and

(B) the identification of the lands cleared of unexploded ordnance and approved for mining activities by the Secretary of the Interior.

(c) **IMPLEMENTATION AGREEMENT FOR MINING ACTIVITIES.**—The Secretary of the Interior and the Secretary of the Army shall enter into an agreement to implement this section with regard to coordination of defense-related uses and mining and the ongoing removal of unexploded ordnance. The duration of the agreement shall be

the same as the period of the withdrawal under section 2, but may be amended from time to time. The agreement shall provide the following:

- (1) That Graymont Western US, Inc., or any successor or assign of the approved Indian Creek Mine mining plan of operations, MTM-78300, is invited to be a party to the agreement.
- (2) Provisions regarding the day-to-day joint-use of the Limestone Hills Training Area.
- (3) Provisions addressing when military and other authorized uses of the withdrawn lands will occur.
- (4) Provisions regarding when and where military use or training with explosive material will occur.
- (5) Provisions regarding the scheduling of training activities conducted within the withdrawn area that restrict mining activities and procedures for deconfliction with mining operations, including parameters for notification and sanction of anticipated changes to the schedule.
- (6) Provisions regarding liability and compensation for damages or injury caused by mining or military training activities.
- (7) Provisions for periodic review of the agreement for its adequacy, effectiveness, and need for revision.
- (8) Procedures for access through mining operations covered by this section to training areas within the boundaries of the Limestone Hills Training Area.
- (9) Procedures for scheduling of the removal of unexploded ordnance.
- (d) EXISTING MEMORANDUM OF AGREEMENT.—Until such time as the agreement required under subsection (c) becomes effective, the compatible joint use of the lands withdrawn and reserved by section 2 shall be governed, to the extent compatible, by the terms of the 2005 Memorandum of Agreement among the Montana Army National Guard, Graymont Western US Inc. and the Bureau of Land Management.

#### **SEC. 5. GRAZING.**

(a) ISSUANCE AND ADMINISTRATION OF PERMITS AND LEASES.—The issuance and administration of grazing permits and leases, including their renewal, on the public lands withdrawn by section 2 shall be managed by the Secretary of the Interior consistent with all applicable laws, regulations, and policies of the Secretary of the Interior relating to such permits and leases.

(b) SAFETY REQUIREMENTS.—With respect to any grazing permit or lease issued after the date of the enactment of this Act for lands withdrawn by section 2, the Secretary of the Interior and the Secretary of the Army shall jointly establish procedures that are consistent with Department of the Army explosive and range safety standards and that provide for the safe use of any such lands.

(c) ASSIGNMENT.—The Secretary of the Interior may, with the agreement of the Secretary of the Army, assign the authority to issue and to administer grazing permits and leases to the Secretary of the Army, except that such an assignment may not include the authority to discontinue grazing on the lands withdrawn by section 2.

#### **SEC. 6. DURATION OF WITHDRAWAL AND RESERVATION.**

The military land withdrawal made by section 2 shall terminate on March 31, 2039.

#### **SEC. 7. PAYMENTS IN LIEU OF TAXES.**

The lands withdrawn by section 2 shall remain eligible as entitlement land under 31 U.S.C. 6901.

#### **SEC. 8. HUNTING, FISHING AND TRAPPING.**

All hunting, fishing and trapping on the lands withdrawn by section 2 shall be conducted in accordance with the provisions of 10 U.S.C. 2671.

#### **SEC. 9. WATER RIGHTS.**

(a) WATER RIGHTS.—Nothing in this Act shall be construed—

- (1) to establish a reservation in favor of the United States with respect to any water or water right on lands withdrawn by section 2; or
- (2) to authorize the appropriation of water on lands withdrawn by section 2 except in accordance with applicable State law.

(b) EFFECT ON PREVIOUSLY ACQUIRED OR RESERVED WATER RIGHTS.—This section shall not be construed to affect any water rights acquired or reserved by the United States before the date of the enactment of this Act.

#### **SEC. 10. BRUSH AND RANGE FIRE PREVENTION AND SUPPRESSION.**

(a) REQUIRED ACTIVITIES.—The Secretary of the Army shall, consistent with any applicable land management plan, take necessary precautions to prevent, and actions to suppress, brush and range fires occurring as a result of military activities

on the lands withdrawn and reserved by section 2, including fires outside those lands that spread from the withdrawn land and which occurred as a result of such activities.

(b) COOPERATION OF SECRETARY OF THE INTERIOR.—At the request of the Secretary of the Army, the Secretary of the Interior shall provide assistance in the suppression of such fires and shall be reimbursed for such assistance by the Secretary of the Army. Notwithstanding 10 U.S.C. 2215, the Secretary of the Army may transfer to the Secretary of the Interior, in advance, funds to reimburse the costs of the Department of the Interior in providing such assistance.

#### SEC. 11. ON-GOING DECONTAMINATION.

During the withdrawal and reservation authorized by section 2, the Secretary of the Army shall maintain, to the extent funds are available for such purpose, a program of decontamination of contamination caused by defense-related uses on such lands consistent with applicable Federal and State law. The Secretary of Defense shall include a description of such decontamination activities in the annual report required by section 10 U.S.C. 2711.

#### SEC. 12. APPLICATION FOR RENEWAL OF A WITHDRAWAL AND RESERVATION.

(a) NOTICE.—To the extent practicable, no later than five years before the termination of the withdrawal and reservation made by section 2, the Secretary of the Army shall notify the Secretary of the Interior whether the Secretary of the Army will have a continuing defense-related need for any of the lands withdrawn and reserved by section 2 after the termination date of such withdrawal and reservation. The Secretary of the Army shall provide a copy of the notice to the Committee on Armed Services and the Committee on Energy and Natural Resources of the Senate and the Committee on Armed Services and the Committee on Natural Resources of the House of Representatives.

(b) FILING FOR EXTENSION.—If the Secretary of the Army concludes that there will be a continuing defense-related need for any of the withdrawn and reserved lands after the termination date, the Secretary of the Army shall file an application for extension of the withdrawal and reservation of such needed lands in accordance with the regulations and procedures of the Department of the Interior applicable to the extension of withdrawals and reservations.

#### SEC. 13. LIMITATION ON SUBSEQUENT AVAILABILITY OF LANDS FOR APPROPRIATION.

At the time of termination of a withdrawal and reservation made by section 2, the previously withdrawn lands shall not be open to any form of appropriation under the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order specifying the date upon which such lands shall be restored to the public domain and opened for such purposes.

#### SEC. 14. RELINQUISHMENT.

(a) NOTICE OF INTENTION TO RELINQUISH.—If, during the period of withdrawal and reservation under section 2, the Secretary of the Army decides to relinquish any or all of the lands withdrawn and reserved, the Secretary of the Army shall file a notice of intention to relinquish with the Secretary of the Interior.

(b) DETERMINATION OF CONTAMINATION.—As a part of the notice under subsection (a), the Secretary of the Army shall include a written determination concerning whether and to what extent the lands that are to be relinquished are contaminated with explosive materials or toxic or hazardous substances.

(c) PUBLIC NOTICE.—The Secretary of the Interior shall publish in the Federal Register the notice of intention to relinquish, including the determination concerning the contaminated state of the lands.

(d) DECONTAMINATION OF LANDS TO BE RELINQUISHED.—

(1) If land subject of a notice of intention to relinquish pursuant to subsection (a) is contaminated, and the Secretary of the Interior, in consultation with the Secretary of the Army, determines that decontamination is practicable and economically feasible (taking into consideration the potential future use and value of the land) and that, upon decontamination, the land could be opened to operation of some or all of the public land laws, including the mining laws and the mineral leasing and geothermal leasing laws, the Secretary of the Army shall decontaminate the land to the extent that funds are appropriated for such purpose.

(2) If the Secretary of the Interior, after consultation with the Secretary of the Army, concludes that decontamination of land subject of a notice of intention to relinquish pursuant to subsection (a) is not practicable or economically feasible, or that the land cannot be decontaminated sufficiently to be opened to operation of some or all of the public land laws, or if Congress does not appro-

appropriate sufficient funds for the decontamination of such land, the Secretary of the Interior shall not be required to accept the land proposed for relinquishment.

(3) If the Secretary of the Interior declines to accept the lands that have been proposed for relinquishment because of their contaminated state, or if at the expiration of the withdrawal and reservation made by section 2 the Secretary of the Interior determines that some of the lands withdrawn and reserved are contaminated to an extent which prevents opening such contaminated lands to operation of the public land laws—

(A) the Secretary of the Army shall take appropriate steps to warn the public of the contaminated state of such lands and any risks associated with entry onto such lands;

(B) after the expiration of the withdrawal and reservation, the Secretary of the Army shall undertake no activities on such lands except in connection with decontamination of such lands; and

(C) the Secretary of the Army shall report to the Secretary of the Interior and to the Congress concerning the status of such lands and all actions taken in furtherance of this paragraph.

(e) REVOCATION AUTHORITY.—Upon deciding that it is in the public interest to accept the lands proposed for relinquishment pursuant to subsection (a), the Secretary of the Interior may order the revocation of the withdrawal and reservation made by section 2 as it applies to such lands. The Secretary of the Interior shall publish in the Federal Register the revocation order, which shall—

(1) terminate the withdrawal and reservation;

(2) constitute official acceptance of the lands by the Secretary of the Interior;

and

(3) state the date upon which the lands will be opened to the operation of some or all of the public land laws, including the mining laws.

(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—Nothing in this section shall be construed to require the Secretary of the Interior to accept the lands proposed for relinquishment if the Secretary determines that such lands are not suitable for return to the public domain. If the Secretary makes such a determination, the Secretary shall provide notice of the determination to Congress.

#### PURPOSE OF THE BILL

The purpose of H.R. 1672, as ordered reported, is to withdraw and reserve certain public lands administered by the Bureau of Land Management for exclusive military use as part of the Limestone Hills Training Area, Montana.

#### BACKGROUND AND NEED FOR LEGISLATION

H.R. 1672 withdraws, for 25 years, approximately 18,644 acres of Bureau of Land Management (BLM) land in Broadwater County, Montana, for continued use as part of the Montana Army Reserve National Guard (MRARNG) Limestone Hills Training Area (LHTA), Montana. The bill requires a three-party agreement between the Secretary of the Interior, the Secretary of the Army and Graymont Western US, Inc., to ensure the continued compatible joint-use of this area. Grazing will also continue in the withdrawn area when it is not in use by the MTARNG. The land affected by the withdrawal will also remain eligible for Payments In Lieu of Taxes program, 31 U.S.C. 6901.

The LHTA is a maneuver and live-fire military training area and the primary training area for the MTARNG. The LHTA is collocated with an active limestone mine and seasonal grazing allotments. In 1984, the MTARNG was inappropriately issued a 30-year right-of-way (ROW) for the LHTA, which the Bureau of Land Management (BLM) in 1993 said would need to be converted to a withdrawal. In the interim, a three-party Memorandum of Agreement between the MTARNG, BLM and Graymont was devised to ensure the collaborative joint-use of the area. To date, all parties have successfully operated within the approximately 18,644 acres

to be withdrawn. Should the ROW expire, the MTARNG would no longer be able to utilize LHTA for training purposes. H.R. 1672 will extend the withdrawal, allowing the MTARNG to remain and ensure the continued, collaborative and successful joint-use of the LHTA.

#### COMMITTEE ACTION

H.R. 1672 was introduced on April 23, 2013, by Congressman Steve Daines (R-MT). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittees on Public Lands and Environmental Regulation and Energy and Mineral Resources. The bill was also referred to the Committee on Armed Services. On April 26, 2013, the Subcommittee on Public Lands and Environmental Regulation held a hearing on the bill. On May 15, 2013, the Full Natural Resources Committee met to consider the bill. The Subcommittees on Public Lands and Environmental Regulation and Energy and Mineral Resources were discharged by unanimous consent. Congressman Rob Bishop (R-UT) offered an amendment designated #1 to the bill; the amendment was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was then adopted and ordered favorably reported to the House of Representatives by unanimous consent.

#### COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Natural Resources' oversight findings and recommendations are reflected in the body of this report.

#### COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(1) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(2)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

#### *H.R. 1672—Limestone Hills Training Area Withdrawal Act*

H.R. 1672 would withdraw about 19,000 acres of federal lands in Montana from programs to develop geothermal and mineral resources. The Army would manage the withdrawn lands and use them for military training purposes. Based on information provided by the Bureau of Land Management (BLM), CBO estimates that implementing the bill would have no significant impact on the federal budget. Enacting H.R. 1672 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

Under current law, the affected lands are subject to a temporary right-of-way that allows the Army to use those lands for military training purposes. H.R. 1672 would prohibit certain activities that could generate receipts on the affected lands in the future (such receipts are accounted for in the budget as decreases in direct spending); however, because CBO expects that those lands would not generate any receipts over the next 10 years, we estimate that enacting the bill would not affect direct spending.

In addition, because the affected lands are already managed by the federal government, we estimate that implementing the legislation would not affect the costs of managing those lands. Finally, CBO estimates that any additional costs to prepare the legal description of the affected lands, as required under the bill, would total less than \$5,000, subject to the availability of appropriated funds.

H.R. 1672 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

2. Section 308(a) of Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures. Based on information provided by the Bureau of Land Management, CBO estimates that implementing the bill would have no significant impact on the federal budget.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill, as ordered reported, is to withdraw and reserve certain public lands administered by the Bureau of Land Management for exclusive military use as part of the Limestone Hills Training Area, Montana.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. The Chairman does not believe that this bill directs any executive branch official to conduct any specific rule-making proceedings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139 or identified in the

most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.



## EXCHANGE OF LETTERS

**U.S. House of Representatives**  
**Committee on Natural Resources**  
 Washington, DC 20515

June 19, 2013

DOC HASTINGS, WA  
 CHAIRMAN  
 DON YOUNG, AK  
 LOUIE GOMBERG, TX  
 BOB BISHOP, UT  
 DUNCAN LAMBORN, CO  
 ROBERT J. WITTMANN, VA  
 PAUL G. BROUN, GA  
 JOHN FLEMING, LA  
 TOM MCCLINTOCK, CA  
 GLENN THOMPSON, PA  
 CYNTHIA LUMMIS, WY  
 DAN BENIGER, NH  
 JEFF DUNCAN, SC  
 SCOTT R. TIPPON, CO  
 PAUL A. GOSAR, AZ  
 RALPH R. LABRADOR, ID  
 STEVE SOUTHWARD, FL  
 BILL FLORES, TX  
 ANDY HARRIS, MO  
 JOHN RUSSO, NJ  
 MARK AMODEI, NV  
 MANNING W. MULLIN, OK  
 CHRIS STEWART, UT  
 STEVE DARNEL, MI  
 KEVIN Cramer, ND  
 DOUG LAMALFA, CA

EDWARD J. MARKEY, MA  
 RANKING DEMOCRATIC MEMBER  
 PETER A. INFANTE, OR  
 EUGENE A. ALDERMAN, GA, AS  
 FRANK PALLONE, JR., NJ  
 DEBBIE F. NARPOLITANO, CA  
 RUSH HOLT, IN  
 RAUL M. GONZALEZ, AZ  
 MARCELO E. BERNALDO, GU  
 JIM COSTA, CA  
 GREGORY KYLE LAMARCAO SASLAN, SNM  
 NBU TSONGAS, MA  
 PEDRO R. PEREZ, PR  
 COLLEEN W. HANABUSA, HI  
 TONY GARDENAS, CA  
 STEVEN HORSBURG, NY  
 JARED HUFFMAN, CA  
 PAUL RUSE, CA  
 CAROL SHEA PORTER, NH  
 ALAN LOMENTAL, CA  
 JOE CANNALFI  
 MATTHEW CARTWRIGHT, PA

JEFFREY DUNCAN  
 DEMOCRATIC STAFF DIRECTOR

TODD YOUNG  
 CHIEF OF STAFF

The Honorable Howard "Buck" McKeon  
 Chairman, Committee on Armed Services  
 House of Representatives  
 2120 Rayburn House Office Building  
 Washington, D.C. 20515

Dear Mr. Chairman:

On May 15, 2013, the Committee on Natural Resources ordered reported a slate of bills that were ultimately included as part of H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. These bills were referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Armed Services.

Specifically, these bills are H.R. 910, Sikes Act Reauthorization Act of 2013; H.R. 1299, White Sands Missile Range Security Enhancement Act; H.R. 1672, Limestone Hills Training Area Withdrawal Act; H.R. 1673, To provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in Naval Air Weapons Station China Lake, California; H.R. 1676, Johnson Valley National Off-Highway Vehicle Recreation Area Establishment Act; and H.R. 1691, Chocolate Mountain Aerial Gunnery Range Transfer Act of 2013.

I ask that you allow the Armed Services Committee to be discharged from further consideration of the bills in order for bill reports to be filed. These discharges in no way affect your jurisdiction over the subject matter of the bills, and it will not serve as precedent for future referrals. In addition, should a conference on any of the bills be necessary, I would support your request to have the Committee on Armed Services represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill reports filed by the Committee on Natural Resources to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,



Doc Hastings  
 Chairman

HOWARD P. "BUCK" MCKEON, CALIFORNIA, CHAIRMAN  
 MAP MCINERNEY, TEXAS  
 PAUL R. JOHNS, NORTH CAROLINA  
 T. RASBY FOWERS, VIRGINIA  
 JEFF MILLER, FLORIDA  
 JACK WELSH, SOUTH CAROLINA  
 FRANK A. LARSON, NEW JERSEY  
 RICHARD L. BLUM, OHIO  
 MICHAEL P. TURNER, OHIO  
 JOHN KLUM, MINNESOTA  
 MARK RINGERS, ALABAMA  
 TRENT FRANKS, ARIZONA  
 BEN SHUSTER, PENNSYLVANIA  
 K. MICHAEL CONAWAY, TEXAS  
 OSCAR LAMARCA, COLORADO  
 ROBERT J. PATTMAN, VIRGINIA  
 JONATHAN HUNTER, CALIFORNIA  
 JOHN C. DEMING, MISSOURI  
 MIKE COFFMAN, COLORADO  
 E. SCOTT PERELL, VIRGINIA  
 CHRISTOPHER P. LINDEN, NEW YORK  
 VICKY HARTZLER, MISSOURI  
 JOSEPH J. HICE, NEVADA  
 JOHN RUTHERFORD, NEW JERSEY  
 AUGUST SCOTT, GEORGIA  
 STEVEN W. PALAZZO, MISSISSIPPI  
 MARTHA ROSS, ALABAMA  
 NAY BROOKS, ALABAMA  
 RICHARD B. NUGENT, FLORIDA  
 KRISTIN L. NORMAN, SOUTH CAROLINA  
 PAUL COOK, CALIFORNIA  
 JIM BRIDENSTINE, OKLAHOMA  
 STEVE R. WENTZ, OHIO  
 JACKIE WALORSKI, INDIANA

**COMMITTEE ON ARMED SERVICES**  
**U.S. House of Representatives**  
 Washington, DC 20515-6035  
 ONE HUNDRED THIRTEENTH CONGRESS

June 19, 2013

ADAM SMITH, WASHINGTON, PENNSYLVANIA  
 LORETTA GARCIA, CALIFORNIA  
 MIKE WATKINS, NORTH CAROLINA  
 ROBERT A. BRADY, PENNSYLVANIA  
 ROBERT L. ANDERSON, NEW JERSEY  
 DEAN A. DAVIS, CALIFORNIA  
 JAMES R. LANGRISH, RHODE ISLAND  
 ROY LARSEN, WASHINGTON  
 JIM COOPER, TENNESSEE  
 MANDELERN L. BORDALLO, TEXAS  
 JOE COURTNEY, CONNECTICUT  
 DAVE LOEBACK, IOWA  
 NICK FORTAGUE, MASSACHUSETTS  
 JOHN R. GARAMENDI, CALIFORNIA  
 HENRY C. "BENNY" JOHNSON, JR., GEORGIA  
 COLLEEN HANASUSA, HAWAII  
 JACKIE SPICER, CALIFORNIA  
 RON BARBER, ARIZONA  
 ANDRE CARSON, INDIANA  
 CAROL BEEA-FORTUN, NEW HAMPSHIRE  
 DANIEL E. MARTEL, NEW YORK  
 GREG KILMER, WASHINGTON  
 JACQUES CASTRO, TEXAS  
 TAMMY DUCKWORTH, ILLINOIS  
 SCOTT N. PETERS, CALIFORNIA  
 WILLIAM L. EDWARDS, ALABAMA  
 PETE P. GALLAGHER, TEXAS  
 MARK A. VEASEY, TEXAS

ROBERT L. SEMARIS, II, STAFF DIRECTOR

Chairman Doc Hastings  
 House Committee on Natural Resources  
 1324 Longworth House Office Building  
 Washington, D.C. 20515

Dear Chairman Hastings:

Thank you for your letter regarding six bills that were referred primarily to the Committee on Natural Resources, with an additional referral to the Committee on Armed Services, and included as part of H.R. 1960, the National Defense Authorization Act for Fiscal Year 2014. This includes H.R. 910, Sikes Act Reauthorization Act of 2013; H.R. 1299, White Sands Missile Range Security Enhancement Act; H.R. 1672, Limestone Hills Training Area Withdrawal Act; H.R. 1673, To provide for the transfer of certain public land currently administered by the Bureau of Land Management to the administrative jurisdiction of the Secretary of the Navy for inclusion in Naval Air Weapons Station China Lake, California; H.R. 1676, Johnson Valley National Off-Highway Vehicle Recreation Area Establishment Act; and H.R. 1691, Chocolate Mountain Aerial Gunnery Range Transfer Act of 2013.

Our committee recognizes the importance of these bills, and the need for the legislation to move expeditiously. Therefore, while we have a valid claim to jurisdiction over these pieces of legislation, I do not intend to request sequential referrals. By waiving consideration of the bills, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the bills which fall within its Rule X jurisdiction. Further, should a conference on any of the aforementioned bills be necessary, I request that the Committee on Armed Services be represented during any conference negotiations.

Thank you for your attention to these matters.

Sincerely,

  
 Howard P. "Buck" McKeon  
 Chairman

cc: The Honorable John A. Boehner  
 The Honorable Adam Smith  
 The Honorable Edward J. Markey  
 The Honorable Thomas J. Wickham, Jr.